



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,759	02/03/2004	Satoshi Kouchiyama	01-546	8912
23400	7590	11/02/2005	EXAMINER	
POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE SUITE 101 RESTON, VA 20191			NGUYEN, CUONG H	
		ART UNIT	PAPER NUMBER	3661

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/769,759	KOUCHIYAMA, SATOSHI
	Examiner	Art Unit
	CUONG H. NGUYEN	3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 8/24/05 (the amendment).
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This is the answer for an amendment filed on 8/24/2005. Claims 1-22 are pending.

Response to Amendment

2. The arguments are unpersuasive because pending claims are directed to “system”; therefore, the rejection mailed on 3/24/2005 is maintained (please note that the amended clauses for independent claims 11 and 14 indicate that POIs were already known as “searchable information” without inputting POIs’ category, e.g., in searchable database, Sears - without inputting a category of department store) because they are claimed that “that are searchable regardless of the categories of points of interest”. Cited reference of DeLorme et al. also provides supplemental information of a POI (that “supplemental information” (non-functional descriptive material) merely include further/extra information about that POI – e.g., “a food stop” at a specific highway exit having McDonald, Burger King, and KFC fast-food stores).

On page 5, para. 5 (of the 8/24/2005 REMARKS, the applicant states “none of claims 1-22 recites “a sign board comprising an exit number and related POI””, in that exemplary instance, the examiner would like to indicate a well-known, real-life example on US highways as shown above to show a similar interpretation to what the applicant claims (actually this provides a well-known visual picture of a similar situation). The examiner respectfully submits that there is no deficient and no need to withdraw previous rejection since cited reference of DeLorme et al. already suggest what claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

DeLorme et al. (US Pat. 5,802,492).

A. As per independent claims 1, 11, and 14: These claims are directed to a system with physical components. DeLorme et al. teach a navigational system, a method, and a service provider, comprising:

DeLorme et al. do not expressly disclose an exemplary situation such as a sign-board comprising an exit number and related POI (this is a similar example of what the applicant claims because that POI contains extra information in a search database – non-functional descriptive material).

However, the examiner respectfully submits that a “pop-up” window (for Restaurant: Burlington, VT) in Fig.1L would display extra information about “Déjà vu Café Grill”, e.g., having an ATM etc. besides displaying text on menu, related landmark, and price ranking of that restaurant – therefore, it is well-known to include extra information of exit number in that pop-up window for Déjà vu Café & Grill. It is also known if the search is about an exit number on I-66, then the search result of that found exit having pop-up window containing Déjà vu Café & Grill with an ATM (see Fig.1L, a pop-up window showing prices of different hotel (extra related information), or see Fig.1M showing a campground at Shelburne, VT to a user for extra related information of private/public campground – they merely are non-functional descriptive material that do not change a structural configuration of claimed system).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the idea of DeLorme et al.'s POI supplemental information with a supplemental item (e.g., a restaurant having an ATM) because it helps a driver to recognize immediately which restaurant to stop for all his needs.

B. As for dependent claims 17-22: These claims are directed to a system, with supplemental information such as displaying items comprise certain available facilities and services (e.g., gas stations having restrooms). They are rejected on obviousness using the same rationales as analyzed above.

C. As for dependent system claim 2: the control means searches for the point of interest in a category specified by an input from the user (see DeLorme, Figs. 2, 5 (ref.38), Fig.6 and col. 5 line 66 – col. 6 line 43).

D. As for dependent system claim 3: the control means only displays the searched exit on the display means (see DeLorme, col. 6, lines 5-9).

E. As for dependent system claim 4: the control means displays the searched exit on the display means in a manner that the searched exit is distinguishable from other exits (see DeLorme, Fig.1 (a) – “EXIT ##”, and col. 6, lines 10-18).

F. As for dependent system claim 5: the control means displays information regarding the supplemental item on the display means (see DeLorme, Fig.5 ref. 38, and col. 6, lines 10-18).

G. As for dependent system claims 6-7: the control means displays the searched exit on the display means when the distinguishable searched exit is located ahead of the current position of the vehicle (see DeLorme, col. 6, lines 25-34).

H. As for dependent system claims 8-9, and 15: the control means displays the searched exit on the display means when the point of interest is located within a predetermined distance from the distinguishable searched exit (see DeLorme, the abstract, and col. 6, lines 10-18).

I. As for dependent system claims 10, 13, and 16: the control means (see DeLorme, Fig.5, ref. 38) searches a route to the searched point of interest and displays the route on the display means (see DeLorme, Fig.1a, and col. 6, lines 35-38).

J. As for dependent system claim 12: the control means displays the point of interest on the display means when the point of interest is located within a predetermined distance from the current position (see DeLorme, col. 6, lines 10-18).

Conclusion

4. Claims 1-22 are not patentable. Applicants' amendment are not persuasive. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the

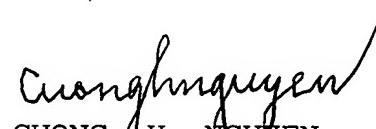
Art Unit: 3661

examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661